

**REMARKS**

Claims 1-24 are pending in this application. By this Amendment, independent claims 1, 3, 5-7 and 10-14 are amended to even further distinguish over the applied references. Support for the amendments to the claims can be found, for example, on page 11, line 14 to page 12, line 8 of the specification as filed. Support for further amendments to claims 3 and 5 can be found, for example, on page 13, line 17 to page 14, line 14 of the specification as filed. No new matter is added. Reconsideration of this application in view of the above amendments and the following remarks is respectfully requested.

The Office Action rejects claims 1-24 under 35 U.S.C. §103(a) over Miyatake et al. (Miyatake), U.S. Patent No. 6,750,903, in view of Shimizu, U.S. Patent No. 7,064,780, and further in view of Chen, U.S. Patent Application Publication No. 2001/0010546 A1. The rejection is respectfully traversed.

The combination of Miyatake, Shimizu and Chen does not disclose, and would not have rendered obvious, the following features of independent claims 1, 3 and 5-7 and the corresponding features in method claims 10-14.

Claim 1, as amended, recites: "a controller that changes an extracting rate according to the predetermined number and a total number of frame images generated by said image pickup during the continuous shooting according to the operation of said first and second switches, and extracts the data of the predetermined number of frame images from the data of the total number of frame images according to the changed extracting rate and as a result of the operation of said second switch."

Claim 3, as amended, recites: "a controller that calculates a difference between frame images in the data of the frame images generated by said image pickup during the continuous shooting according to the operation of said first and second switches, the difference representing an amount of variation in an object and being obtained at respective pixel

positions of two frame images between which the difference is obtained, wherein the controller extracts data of the predetermined number of frame images from the data of all of the frame images in the continuous shooting at such intervals that the smaller the difference between the frame images, the longer the intervals."

Claim 5, as amended, recites: "a controller that selects the data of at least the predetermined number of frame images from the data of the plurality of frame images according to the predetermined number and a total number of frame images generated by said image pickup during the continuous shooting according to the operation of said first and second switches, and calculates a difference between frame images in the selected data, the difference representing an amount of variation in an object and being obtained at respective pixel positions of two frame images between which the difference is obtained."

Claim 6, as amended, recites: "a controller that extracts the data of the predetermined number of frame images from the data of all of the frame images in said multi-shooting mode at such intervals that an Nth frame image data to be extracted is generated by shooting at a time of an Xth power of  $(N-1)$  where X is more than zero when a first frame image data to be extracted is assumed to be generated by shooting at a time zero."

Claim 7, as amended recites: "a controller that extracts data of the predetermined number of frame images from the data of all of the frame images obtained during the continuous shooting according to the operation of said first and second switches in such a manner that the data extracted includes data of frame images shot at the start and end of the continuous shooting."

The combination of Miyatake, Shimizu and Chen does not disclose, and would not have rendered obvious, the above features for the following reasons.

Miyatake discloses the feature of nestingly combining a plurality of images with different zoom rate to generate super high resolution images. However, as acknowledged by

the Office Action, Miyatake does not disclose generating a composite image arranged in a matrix form.

Moreover, as mentioned in col. 7, lines 53-67, the camera disclosed in Miyatake is based on the assumption that determination of the zoom rate and overwriting of the images are performed on each and every frame of the moving image based on a comparison between the feature quantities of previous and next adjacent (in time) images. Therefore, Miyatake also does not disclose the concept of extracting (or selecting) a fixed predetermined number necessary for generating a composite image arranged in a matrix form from all of the frame images obtained during continuous shooting.

Shimizu fails to overcome the deficiencies of Miyatake. Although Shimizu discloses the feature of displaying a multi-picture of all images obtained by continuous shooting, Shimizu does not disclose a feature that extracts (or selects) a fixed predetermined number necessary for generating a composite image arranged in a matrix form from all of the frame images obtained during the continuous shooting.

Similarly, Chen fails to overcome the deficiencies of Miyatake and Shimizu. Chen discloses a "planar composite image" which is a plurality of images planarly placed and combined, the planar composite image is obtained by capturing the plurality of images while intentionally displacing the capturing range and performing the positioning of the obtained plurality of images so as to connect the images spatially before planarly placing and combining the images (see paragraphs [0038]-[0040]). However, as seen in Fig. 3, Chen performs shooting only the number of times necessary to generate the "planar composite image," and does not disclose extracting (or selecting) a fixed predetermined number necessary for generating a composite image arranged in a matrix form from all of the frame images obtained during the continuous shooting.

Therefore, the combination of Miyatake, Shimizu and Chen does not disclose, and would not have rendered obvious, the features of independent claims 1, 3 and 5-7 and the corresponding methods in independent claims 10-14. Therefore, independent claims 1, 3, 5-7 and 10-14 and dependent claims 2, 4, 8-9 and 15-24 are patentable over the combination of Miyatake, Shimizu and Chen. Thus, it is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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Attachment:

Request for Continued Examination

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